

Submission Form 16 to the Otago Regional Council on consent applications

This is a Submission on (a) limited notified/publicly notified resource consent application/s pursuant to the Resource Management Act 1991.

Submitter Details:

(please print clearly)

Full Name/s: Dr Karsten Schneider

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I/ we wish to ~~SUPPORT~~ / **OPPOSE** / submit a ~~NEUTRAL~~ submission on (circle one) the application of:

Applicant's Name: Dunedin City Council

And/or Organisation: DCC

Application Number: RM20.280

Location: Dunedin

Purpose: Smooth Hill Landfill

The specific parts of the application/s that my submission relates to are: *(Give details)*

Disregard of The National Environmental Standards for Freshwater (NESFW)

Rushing of the application process by disregarding more recent scientific evidence

No steps outlined for waste reduction and therefore the need for a new landfill

Long term risks of leachate contamination and bird strike

No consideration of seismic risks for the proposed site

My/Our submission is *(include: whether you support or oppose the application or specific parts of it, whether you are neutral regarding the application or specific parts of it and the reasons for your views)*.

I oppose the application for a new landfill site at Smooth Hill. Boffa Miskell's updated "Ecological Impact Assessment" from 28 May 21 revised the value of the Ōtokia Creek Tributary from low to moderate, because Longfin Eel had been found during ONE additional survey. This makes one wonder, how many additional threatened species may be found, if more thorough surveys were

conducted rather than the process being rushed. An idea of what can be found was provided by environmental DNA testing of the creek in May 2021 commissioned by the Ōtokia Creek and Marsh Habitat Trust, which showed it was home to giant and banded kokopu, shortfin and longfin eel and redfin bully. (ODT 1 June 2021). The Ōtokia wetlands are part of only 15% remaining wetlands in Otago and urgently need protection.

I also noted that Miskell suggested in their report to separate organic waste and dump it in specially prepared v-shaped pits to reduce the attraction for birds to the landfill (p.79). This again is supposed to help reducing the risk of bird strikes. One wonders why the organic waste would need to be dumped at all rather than composted if council was prepared for the, probably significant extra costs, involved in separating organic waste. This example leads me to two wider concerns connected to this landfill site.

1. After reading the reports I get the overall impression that DCC tries to remedy concerns about the planned landfill by engineering more and more expensive solutions. The landfill is going to be heavily engineered to prevent leaching of contaminants into the surrounding environment and its operation will need to be tightly controlled to avoid attracting huge flocks of black winged gulls, which would likely cause bird strikes at the Dunedin international airport, which is only 4.5 km away. Expensive, complex and risky solutions are going to be needed over the entire life time of the dump, just to keep it operational, rather than choosing a site, that is not situated close to an international airport and is not sitting in a wetland on the top of a hill, where the water runoff has to be meticulously controlled. A council that seems hell-bent on making this site work has maneuvered itself into a corner, rather than looking at alternatives. The mayor's contention that DCC does not want to do that because it has the city's interests at heart becomes increasingly hollow, when looking at the long-term costs of this approach that will undoubtedly skyrocket.

2. DCC is talking a lot about waste reduction, but that does not seem to have any impact on its actual planning regarding the city's future waste stream. If this was otherwise I would expect a thorough investigation into ways how the city will be able to reduce its mountains of rubbish FIRST and then let the result of that investigation inform the planning for future disposal sites. The fact that 30 years ago a site had been chosen under very different circumstances (ie. little knowledge of climate change and its likely effects, a city that had not yet expanded into the direct neighbourhood of the proposed landfill, a limited awareness of the importance of wetlands and their fragility) should not mean that we keep following that path no matter what.

Overall I am still missing clear steps that DCC will undertake to reduce waste and its consequences. If it was possible to reduce the unrecyclable waste stream to 50% or less, would the new landfill still be needed or can the remaining waste be redirected to other existing regional sites until we reach a zero waste economy? Looking at the way DCC approaches the waste problem I cannot help but wonder if "zero waste" is even an aspiration with this council.

I would like to quote here Duncan Wilson. Wilson is the director of environmental consultancy firm Eunomia New Zealand. "During the past two or three decades, New Zealand's waste management practices have fallen behind many other developed countries, leaving us burying more, not less, used material in the ground." (ODT 14/9/20)

Finally there are two more technical concerns I would like to add:

3. In Boffa Miskell's report I did not find any assessment of the long term risks for leachate contaminating Ōtokia Creek. In regards to leachates he just states: "If this was discharged into the Ōtokia Creek wetland it would likely be toxic and may kill freshwater flora and fauna. The proposed leachate management system will intercept and collect potential leachate to avoid it leaking / discharging into the downstream receiving environment". (p.85). So what about the long term risks? Here is what Duncan Wilson has to say about them: "In theory [the lining and leachate collection system] would prevent contamination, but in practice that would be hard to guarantee,

particularly beyond the half century life of the landfill.” (ODT 14/9/20)

4. The ORC contracted environmental engineering consultants Tonkin + Taylor to look into the DCC’s application. They had raised concerns the city council had not explained why a site-specific seismic hazard assessment had not been done. This is now becoming even more important after new scientific evidence has come to light regarding earthquake risks in the region according to a recent report. University of Otago earthquake scientist Jonathan Griffin has undertaken extensive studies of the Hyde fault and concludes according to Newshub (1/11/21): If it goes, it has the potential to cause significant damage - especially to Dunedin’s old, unreinforced masonry. "I see Dunedin’s situation as a potential Canterbury earthquake scenario in the future," seismologist Mark Stirling adds. Surely this new information should now also be taken into consideration when planning to construct a landfill in a precarious location.

I/We seek the following decision from the consent authority (*give precise details, including the general nature of any conditions sought*)

Ask DCC to re-evaluate other potential and less environmentally risky landfill sites.

Ask DCC to do a thorough waste stream assessment for the future of the city first, before commissioning a new landfill to find out if it is actually needed.

I/we:

- Wish to be heard in support of our/my submission
- X Not wish to be heard in support of our/my submission

If others make a similar submission, I/we will consider presenting a joint case with them at a hearing.

- Yes
- X No

I, **am/am not** (choose one) a trade competitor* of the applicant (for the purposes of Section 308B of the Resource Management Act 1991).

**If trade competitor chosen, please complete the next statement, otherwise leave blank.*

I, **am/am not** (choose one) directly affected by an effect as a result of the proposed activity in the application that:

- a) adversely affects the environment; and
- b) does not relate to trade competition or the effects of trade competition.

I, **do/do not** (choose one) wish to be involved in any pre-hearing meeting that may be held for this application.

I **do/do not** request* that the local authority delegates its functions, powers, and duties to hear and decide the application to 1 or more hearings commissioners who are not members of the local authority.

I ~~have~~**have not** served a copy of my submission on the applicant.



1/11/2021

Signature/s of submitter/s
(or person authorised to sign on behalf of submitter/s)

(Date)

Notes to the submitter

If you are making a submission to the Environmental Protection Authority, you should use [form 16B](#).

The closing date for serving submissions on the consent authority is the 20th working day after the date on which public or limited notification is given. If the application is subject to limited notification, the consent authority may adopt an earlier closing date for submissions once the consent authority receives responses from all affected persons.

You must serve a copy of your submission on the applicant as soon as is reasonably practicable after you have served your submission on the consent authority.

Privacy: Please note that submissions are public. Your name and submission will be included in papers that are available to the media and the public, including publication on the Council website. Your submission will only be used for the purpose of the notified resource consent process

If you are a trade competitor, your right to make a submission may be limited by the trade competition provisions in [Part 11A](#) of the Resource Management Act 1991.

If you make a request under [section 100A](#) of the Resource Management Act 1991, you must do so in writing no later than 5 working days after the close of submissions and you may be liable to meet or contribute to the costs of the hearings commissioner or commissioners.

You may not make a request under section 100A of the Resource Management Act 1991 in relation to an application for a coastal permit to carry out an activity that a regional coastal plan describes as a restricted coastal activity.

Please note that your submission (or part of your submission) may be struck out if the authority is satisfied that at least 1 of the following applies to the submission (or part of the submission):

- it is frivolous or vexatious:
- it discloses no reasonable or relevant case:
- it would be an abuse of the hearing process to allow the submission (or the part) to be taken further:
- it contains offensive language:
- it is supported only by material that purports to be independent expert evidence, but has been prepared by a person who is not independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter.

The address for service for the Consent Authority is:

Otago Regional Council, Private Bag 1954, Dunedin, 9054
or by email to submissions@orc.govt.nz